

Atty Dkt No. 54269.8002.US01

hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: February 17, 2006

By: 

Rena lov

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Wang, Kangsheng

APPLICATION No.: 09/781,046

FILED: February 8, 2001

FOR: **A METHOD AND SYSTEM FOR INTRODUCING A
GENE INTO A HUMAN STEM CELL**

EXAMINER: Thaian N. Ton

ART UNIT: 1632

CONF No.: 9275

Response to Examiner's Amendment

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to Examiner's Amendment dated November 17, 2005, applicant submits a copy of the Receipt confirming deposit under the Budapest Treaty filed concurrently with The Declaration of Biological Deposit on August 11, 2005.

Respectfully submitted,
Perkins Coie LLP

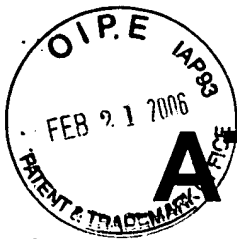
Date: February 17, 2006



Patrick D. Morris, Ph.D.
Registration No. 53,351

Correspondence Address:

Customer No. 34055
Perkins Coie LLP
Patent - LA
P.O. Box 1208
Seattle, WA 98111-1208
Telephone: (310) 788-9900
Facsimile: (310) 788-3399



ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

To: (Name and Address of Depositor or Attorney)

BioAgri Corporation
Attn: Ken Wang
17711 Rowland Street
Industry, CA 91748

Deposited on Behalf of: BioAgri Corporation

Identification Reference by Depositor:

Hybridoma Cell Line; mAbC

Patent Deposit Designation

PTA-6723

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received May 24, 2005 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested June 1, 2005. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: June 21, 2005

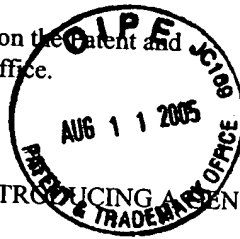
cc: James Zhu, Michael Wise

Docket or Case Nos: 54269,8001 and 54269,8002



Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant: WANG, Kangsheng
Serial No.: 09/781,046
For: A METHOD AND SYSTEM FOR INTRODUCING A GENE
INTO A HUMAN STEM CELL
Filed: February 8, 2001

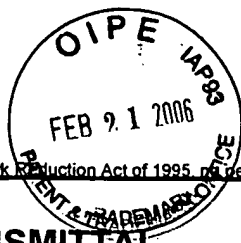


TRANSMITTAL OF DECLARATION OF BIOLOGICAL DEPOSIT

Attorney(s): Patrick D. Morris
Docket No.: 54269.8002.US01
Date of Deposit: August 8, 2005 (via First Class Mail)
Enclosure(s): Transmittal Form; Declaration of Biological Deposit with copy of
Receipt confirming deposit under the Budapest Treaty; return
postcard

ENE

Date of Deposit: August 8, 2005 (via First Class Mail)
Enclosure(s): Transmittal Form; Declaration of Biological Deposit with copy of
Receipt confirming deposit under the Budapest Treaty; return
postcard



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	09/781,046
Filing Date	February 8, 2001
First Named Inventor	Kangsheng Wang
Art Unit	1632
Examiner Name	Thalan N. Ton
Attorney Docket Number	54269.8002.US01

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration of Biological Deposit with Receipt confirming deposit under the Budapest Treaty.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	PERKINS COIE LLP		
Signature			
Printed name	Patrick D. Morris		
Date	August 8, 2005	Reg. No.	53,351

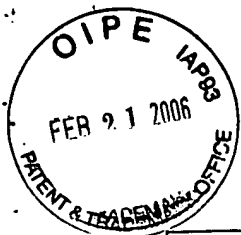
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:


Signature			
Typed or printed name	Rena Iov	Date	August 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re the Application of:</p> <p>WANG, Kangsheng</p> <p>Serial No.: 09/781,046</p> <p>Filed: February 8, 2001</p> <p>For: A METHOD AND SYSTEM FOR INTRODUCING A GENE INTO A HUMAN STEM CELL</p>	<p>Examiner: TON, Thaian N.</p> <p>Group Art Unit: 1632</p> <p>Docket No.: 54269.8002.US01</p> <p>I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited this 8th day of August 2005 with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p> Rena lov</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DECLARATION OF BIOLOGICAL DEPOSIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner Ton,

I, Ken Wang, do hereby declare as follows:

1. I am the inventor of the above-identified application. The following materials have been deposited in conjunction with this application:

<u>Strain</u>	<u>Deposit Designation</u>	<u>Deposit Date</u>
Hybridoma cell line; mAbC	PTA-6723	May 24, 2005

2. The deposit was made to the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110-2209, pursuant to the provisions of the Budapest Treaty.

3. A copy of the Receipt confirming deposit under the Budapest Treaty is attached hereto.

4. In accordance with the Budapest Treaty, the depository will maintain the deposit for a period of at least 30 years from the date of deposit or 5 years after the most recent request for a sample, whichever is longer.

5. I affirm that should the culture die or be destroyed during the effective term of the deposit, Applicant will replace it with living culture of the same for at least 30 years from the date of the original deposit, 5 years from the date of the most recent request for a sample, or for the life of any patent issued on the above-identified application, whichever is longer.

6. I affirm that upon issuance of a patent on the above-identified application, the culture will be irrevocably and without restriction released for access by the public, and shall remain available for the entire term of the deposit.

I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. Further, I recognize any willful false statement herein is punishable by fine, imprisonment, or both under 18 U.S.C. 1001, may jeopardize the validity of the present application or any patent issuing therefrom.

Date: 8/5/05

Kangsheng Wang
Kangsheng Wang
BioAgri Corporation

Correspondence Address:

Customer No. 34055
Perkins Coie LLP
P.O.Box 1208
Seattle, WA 98111-1208
Telephone: (310) 788-9900
Facsimile: (310) 788-3399